

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

DAVID LORENZA JOYNER, #1230707	§	
	§	
VS.	§	CIVIL ACTION NO. G-06-728
	§	
THOMAS A. DAVIS, JR., ET AL.	§	

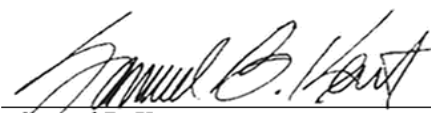
OPINION AND ORDER

Before the Court is a Report and Recommendation from the United States Magistrate Judge dated April 9, 2007, which recommends that all claims asserted by Plaintiff, David Lorenza Joyner, against Defendants Thomas A. Davis, Jr. and Dudley M. Thomas be dismissed for failure to timely perfect service under Rule 4(m) of the Federal Rules of Civil Procedure. The Magistrate Judge gave Joyner until April 25, 2007, to file objections, however, to date, no objections have been filed.

Upon appropriate review, pursuant to 28 U.S.C. § 636(b)(1)(C), this Court finds that the Report and Recommendation is a correct application of the federal rule to the facts in this case and it is, therefore, **ACCEPTED** by this Court in its entirety and incorporated by reference herein.

Accordingly, it is **ORDERED** that **all claims asserted by Joyner against Defendants Thomas A. Davis, Jr. and Dudley M. Thomas are DISMISSED.**

DONE at Galveston, Texas, this 10th day of May, 2007.



Samuel B. Kent
United States District Judge